

considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered as read; (4) points of order against the committee amendment in the nature of a substitute for failure to comply with clause 7 of rule XVI are waived; (5) during consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the CONGRESSIONAL RECORD designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read; (6) the Chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment, and (2) reduce to 5 minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes; (7) at the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute; (8) the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions; and that House Resolution 472 be laid on the table.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

LAYING ON TABLE HOUSE RESOLUTIONS 356, 375, 382, AND 383

Mr. DREIER. Mr. Speaker, I ask unanimous consent that the following resolutions be laid on the table: H. Res. 356; H. Res. 375; H. Res. 382; and H. Res. 383.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

DATE CERTAIN TAX CODE REPLACEMENT ACT

Mr. LINDER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 473 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 473

Resolved, That upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 4199) to terminate the Internal Revenue Code of 1986. The bill

shall be considered as read for amendment. An amendment in the nature of a substitute consisting of the text of H.R. 4230 shall be considered as adopted. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate on the bill, as amended, equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Georgia (Mr. LINDER) is recognized for 1 hour.

Mr. LINDER. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. FROST) pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

Mr. Speaker, this is a customary rule for Tax Code-related legislation. It provides for the consideration of H.R. 4199, the Date Certain Tax Code Replacement Act. H.Res. 473 provides that the bill be considered as read and that the text of H.R. 4230 shall be considered as adopted. The rule further provides for 1 hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means. Finally, the rule provides for one motion to recommit, with or without instructions, as is the right of minority Members of the House.

Mr. Speaker, what we have learned after 87 years of the current system is this: if we had sat down at the beginning of 1913 and asked ourselves how could we build a tax system that would punish people for earning and working hard, a system that would be obstructive of capital formation, we could not have done a better job. Our tax system is the largest impediment to people moving from the first rung of the economic ladder to the second, because the harder you work, the more you save, the more you invest, the more we take. It is a system that is inefficient. We have seen testimony from the Kemp Commission to Harvard studies that says for a small business man or woman to comply with the code and to collect and remit \$1 in business income taxes, it costs them anywhere from \$4 to \$7.

The current code is not understandable. Our own IRS tells us that if you call the IRS for help in filling out your own tax return, 25 percent of the answers they give you will be given in error. Over 50 percent of Americans have to pay others to decipher the Tax Code and do their taxes for them. In an effort to show how complex the IRS code has become, Money magazine created a fictional American family and asked tax professionals to prepare an IRS tax return. Incredibly, every one of the tax professionals came up with a different tax total, and not one of the tax professionals calculated what the editors of Money magazine believed to be the correct income tax.

The current code invades the privacy of every single American citizen. There are 100,000 people at the IRS who know more about us than we are willing to tell our children. I want them out of our lives. These are not bad people. They are people doing the job that this Congress by statute has directed them to do, but we should not have any agency of government that knows how much money you make or how you spend it. That should be none of our business. We should not have anybody who can look into your records and know your history. The government should not be looking over your shoulder counting every dime you earn. Unfortunately, to the IRS we are all presumptive tax criminals, required to open up aspects of our lives to auditors at any given moment.

□ 1330

For all of these reasons, we are here today to debate and pass H.R. 4199.

What the legislation before us today does is to sunset the current Tax Code effective December 31, 2004, and require that Congress approve a replacement system no later than July 4, 2004, to ensure a smooth transition to the new system on the first day of 2005. This legislation also establishes a bipartisan National Commission on Tax Reform and Simplification that is required to report to Congress on a new, fair, simpler Tax Code.

The overall intention of this bill is to do three things: One, sunset the current convoluted Tax Code; two, create a commission to consider alternative tax systems; and, three, foster a national debate on how to create a fair tax system for working Americans.

This is not a jump over the cliff, as some will say. There are several proposals before the Congress now that have been carefully thought out. The gentleman from Texas (Mr. ARMEY) has one that he has written a book about, the gentleman from Louisiana (Mr. TAUZIN) has one that he has pushed for several years, the gentleman from Pennsylvania (Mr. ENGLISH) has a very thoughtful proposal, and I have one too. All of these are ready to be placed in place. They are different, but every single one is better than the current system.

Mr. Speaker, my bill, H.R. 2525, that I introduced with my friend the gentleman from Minnesota (Mr. PETERSON) is a comprehensive tax reform bill. The national retail sales tax would put in place a transparent form of taxation that will end the confusion forever. This bill is known as the Fair Tax. It would repeal the Federal income tax, the capital gains tax, corporate and self-employment taxes, all payroll taxes, including Social Security and Medicare taxes, all estate and all gift taxes. Under the Fair Tax, Americans will be able to see exactly what they are paying in taxes, and the embedded costs of the IRS would be gone, because the IRS would be gone. Americans would be able to take their entire